

REGARDLESS OF WHETHER THE APPLICANT IS ABLE TO MEET THE DEPOSIT REQUIREMENTS FOR THE PROVISIONING OF TOLL SERVICE.

- (6) THIS RULE DOES NOT PRECLUDE A LEC WHICH IS ALSO A PROVIDER OF TOLL SERVICE FROM ASSESSING A DEPOSIT FOR ITS OWN TOLL SERVICE, PROVIDED DEPOSITS FOR SUCH SERVICE ARE CALCULATED AND ASSESSED SEPARATELY AND PROVIDED THAT ALL LOCAL EXCHANGE SUBSCRIBERS ARE TREATED IN A JUST, REASONABLE, AND NONDISCRIMINATORY MANNER.
- (7) THIS RULE DOES NOT PRECLUDE ANY LEC FROM ENFORCING OR CARRYING OUT, IN A MANNER CONSISTENT WITH THE COMMISSION'S DECISION IN THE 95-790 DOCKET, THE CREDIT AND DEPOSIT POLICIES OF A SEPARATE IXC, SO LONG AS THE LEC IS AUTHORIZED TO DO SO PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE LEC AND SEPARATE IXC AND PROVIDED THAT ALL LOCAL EXCHANGE SUBSCRIBERS ARE TREATED IN A JUST, REASONABLE, AND NONDISCRIMINATORY MANNER.
- (8) AS PERTAINS TO THE PROVISION OF TOLL SERVICE BY EITHER A LEC OR AN IXC, A TOLL CAP MAY BE UTILIZED, IN ADDITION TO OTHER CRITERIA SPECIFIED IN RULE 4901:1-17-03(A) OF THE ADMINISTRATIVE CODE, AS A MEANS FOR ESTABLISHING CREDIT. THE TERMS AND CONDITIONS OF SUCH TOLL CAP MUST BE SUBMITTED TO THE COMMISSION IN THE FORM OF TARIFFS FOR COMMISSION APPROVAL. LECS AND IXCS WHO UTILIZE TOLL CAPS ARE REQUIRED TO DISCLOSE THE APPLICABILITY OF TOLL CAPS TO THE SERVICE APPLICANT PRIOR TO THE INITIATION OF SERVICE OR RE-ESTABLISHMENT OF SERVICE.
- (9) AS PERTAINS TO THE PROVISION OF TELEPHONE SERVICE BY EITHER A LEC OR AN IXC, RULE 4901:1-17-03(D) OF THE ADMINISTRATIVE CODE SHALL HAVE APPLICATION ONLY TO THE EXTENT THAT THE

"UNPAID BILL FOR PREVIOUS RESIDENTIAL SERVICE" REFERRED TO IN RULE 4901:1-17-03(D) OF THE ADMINISTRATIVE CODE IS A BILL FOR RESIDENTIAL SERVICE PREVIOUSLY PROVIDED BY THE SAME LEC OR IXC WITH WHOM THE APPLICANT IS NOW SEEKING TO ESTABLISH SERVICE.

- (10) IF AN APPLICATION FOR RESIDENTIAL TELEPHONE SERVICE IS ACCEPTED, THE LEC SHALL OFFER THE OPTION OF DEFERRED PAYMENT ARRANGEMENTS ON TELEPHONE INSTALLATION CHARGES. IF THE DEFERRED OPTION IS CHOSEN, THE INSTALLATION CHARGES SHALL BE SPREAD OVER A PERIOD OF THREE MONTHS.
- (B) THE COMMISSION'S DISCONNECTION POLICY ESTABLISHED IN THE 95-790 DOCKET RESULTS IN A NEED FOR FORMALLY EXTENDING TO NONRESIDENTIAL TELEPHONE SERVICE CUSTOMERS, MANY OF THE SAME PROTECTIONS NOW AFFORDED TO RESIDENTIAL TELEPHONE SERVICE CUSTOMERS UNDER CHAPTER 4901:1-17 OF THE ADMINISTRATIVE CODE. ACCORDINGLY:
  - (1) EXCEPT AS OTHERWISE INDICATED IN THIS RULE, IN EACH INSTANCE WHERE A PROVISION OF CHAPTER 4901:1-17 OF THE ADMINISTRATIVE CODE, HAS APPLICATION TO RESIDENTIAL TELEPHONE SERVICE PROVIDED BY A LEC OR AN IXC, IT SHALL BE DEEMED, UNDER THIS RULE, AS ALSO HAVING APPLICATION TO NONRESIDENTIAL TELEPHONE SERVICE BY SUCH LEC OR IXC.
  - (2) EXCEPT AS OTHERWISE INDICATED IN THIS RULE, TO THE SAME EXTENT RULE 4901:1-5-14(A) OF THE ADMINISTRATIVE CODE, AFFECTS THE PROVISION OF TELEPHONE SERVICE TO RESIDENTIAL CUSTOMERS BY LECS AND IXCS IT SHALL BE DEEMED AS ALSO AFFECTING, IN THE SAME MANNER, THE PROVISION OF TELEPHONE SERVICE TO NONRESIDENTIAL CUSTOMERS BY LECS AND IXCS.

- (3) IN DETERMINING WHETHER AN APPLICANT FOR NONRESIDENTIAL TELEPHONE SERVICE IS A SATISFACTORY CREDIT RISK, A LEC OR AN IXC IS PERMITTED, BUT IS NOT REQUIRED, TO CONSIDER THE SAME CRITERIA AS IT CONSIDERS WHEN REVIEWING RESIDENTIAL SERVICE APPLICATIONS PURSUANT TO RULE 4901:1-17-03(A)(2) OF THE ADMINISTRATIVE CODE.
  - (4) NOTWITHSTANDING THE LANGUAGE OF RULE 4901:1-17-04(A) OF THE ADMINISTRATIVE CODE, ANY REQUIREMENT FOR AN INITIAL OR ADDITIONAL DEPOSIT SHALL BE BASED ONLY ON THE CREDIT HISTORY FOR THE SAME CLASS OF SERVICE AS THE APPLICANT IS SEEKING TO ESTABLISH.
- (C) CHANGES TO LOCAL EXCHANGE SERVICE AFTER INITIATION OF SERVICE
- (1) WITHIN SIXTY DAYS OF THE DATE OF INITIATION OF SERVICE, NEW RESIDENTIAL SUBSCRIBERS SHALL BE ALLOWED, AT A MINIMUM, A ONE TIME CHANGE OF THEIR TYPE OF LOCAL EXCHANGE SERVICE WITHOUT CHARGE. THIS DOES NOT PRECLUDE THE COMPANY FROM CHARGING FOR THE ORIGINAL SERVICE CONNECTION, MONTHLY CHARGES FOR THE PERIOD SUCH SERVICE WAS USED, OR THE ADDITION OR REMOVAL OF ANY OPTIONAL LOCAL SERVICE.
  - (2) WITHIN SIXTY DAYS OF THE DATE OF A CHANGE IN THEIR TYPE OF SERVICE, EXISTING RESIDENTIAL SUBSCRIBERS SHALL BE ALLOWED TO RETURN TO THEIR PRIOR TYPE OF LOCAL EXCHANGE SERVICE ONCE WITHOUT CHARGE. THIS DOES NOT PRECLUDE THE COMPANY FROM CHARGING FOR THE PREVIOUS SERVICE CONNECTION, MONTHLY CHARGES FOR THE PERIOD SUCH SERVICE WAS USED, OR THE ADDITION OR REMOVAL OF ANY OPTIONAL LOCAL SERVICE. THIS RULE DOES NOT APPLY TO SUBSCRIBERS WHO HAVE AVAILED THEMSELVES OF PARAGRAPH (C)(1) OF THIS RULE WITHIN THE PREVIOUS SIX MONTHS.

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Case No.: 96-1175-TP-ORD

Replaces: 4901:1-5-24, 4901:1-5-25, 4901:1-5-26

Effective: July 7, 1997

Certification

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Daisy L. Crockron, Acting Secretary

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Date

Promulgated under R.C. Sec. 111.15

Authorized by R.C. Sec. 4905.231

Rule amplifies R.C. Sec. 4905.231

Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-15 RESIDENTIAL SERVICE GUARANTORS.

- (A) IF A LEC OR IXC REQUIRES A DEPOSIT AS A CONDITION OF PROVIDING SERVICE, THE COMPANY MUST INFORM AN APPLICANT OF THE OPTION OF PROVIDING A THIRD PARTY GUARANTEE IN LIEU OF A DEPOSIT.
- (B) EACH APPLICANT FOR RESIDENTIAL SERVICE SHALL BE DEEMED CREDITWORTHY AND SHALL NOT BE REQUIRED TO MAKE A DEPOSIT AS A PRECONDITION OF RECEIVING SERVICE, IF THE APPLICANT FURNISHES A WRITTEN GUARANTEE, SIGNED BY A THIRD PARTY GUARANTOR WHO HAS A CREDIT RATING AS DEFINED IN RULE 4901:1-17-03(A)(3) OF THE ADMINISTRATIVE CODE. THE TERMS OF THE GUARANTEE SHALL INCLUDE THE FOLLOWING:
  - (1) THE GUARANTOR MAY TERMINATE THE GUARANTEE AFTER THIRTY DAY'S NOTICE TO THE COMPANY. THE GUARANTOR SHALL BE OBLIGATED FOR THE LOCAL EXCHANGE AND/OR INTEREXCHANGE SERVICES PROVIDED TO THE SUBSCRIBER THROUGH THE DATE OF TERMINATION OF THE GUARANTEE; AND
  - (2) THE COMPANY SHALL REVIEW ANNUALLY THE ACCOUNT HISTORY OF EACH SUBSCRIBER WHO HAS PROVIDED A GUARANTOR. ONCE THE SUBSCRIBER SATISFIES THE REQUIREMENTS FOR THE REFUND OF DEPOSITS, AS STATED IN RULE 4901:1-5-14(K) OF THE ADMINISTRATIVE CODE, THE COMPANY SHALL, WITHIN THIRTY DAYS, NOTIFY THE GUARANTOR IN WRITING THAT HE/SHE IS RELEASED FROM ALL FURTHER RESPONSIBILITY FOR THE ACCOUNT.
- (C) IF A SUBSCRIBER HAS PROVIDED A GUARANTOR, THAT GUARANTOR SHALL BE AFFORDED THE OPPORTUNITY TO RECEIVE ALL NOTIFICATIONS RELATING TO THE SUBSCRIBER'S DISCONNECTION OF SERVICE FOR NONPAYMENT. THESE NOTICES SHALL BE SENT IN THE SAME MANNER AND AT THE SAME TIME AS THOSE SENT TO THE SUBSCRIBER.

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Case No.: 96-1175-TP-ORD

Replaces: 4901:1-5-27

Effective: July 7, 1997

Certification

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Daisy L. Crockron, Acting Secretary

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Date

Promulgated under R.C. Sec. 111.15

Authorized by R.C. Sec. 4905.231

Rule amplifies R.C. Sec. 4905.231

Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-16 SUBSCRIBER BILLS.

(A) SUBSCRIBER BILLS FOR LOCAL AND TOLL SERVICES SHALL BE RENDERED AT REGULAR INTERVALS, AND PROVIDE THE FOLLOWING:

- (1) THE SUBSCRIBER'S NAME, ADDRESS (OR BILLING ADDRESS, IF DIFFERENT), TELEPHONE NUMBER, OR ACCOUNT NUMBER;
- (2) THE TELEPHONE NUMBER OF THE LEC OR IXC'S BUSINESS OFFICE TO BE CONTACTED CONCERNING THE BILL;
- (3) THE BEGINNING AND ENDING DATES OF THE BILLING PERIOD;
- (4) THE CURRENT MONTH'S BILLING;
- (5) ANY UNPAID AMOUNTS FROM PREVIOUS BILLS;
- (6) ANY LATE PAYMENT CHARGE;
- (7) ANY NONRECURRING, FRACTIONAL, OR NONBASIC SERVICE CHARGES;
- (8) ANY CHARGES FOR NONREGULATED SERVICES OR PRODUCTS AND A STATEMENT THAT NONPAYMENT OF SUCH CHARGES MAY RESULT IN THE DISCONNECTION OR RESTRICTION OF SUCH SERVICES AND SUCH DELINQUENCIES MAY BE SUBJECT TO COLLECTION ACTIONS;
- (9) ANY APPLICABLE TAXES;
- (10) ANY CREDITS AND CHARGES APPLIED TO THE ACCOUNT DURING THE CURRENT BILLING PERIOD;
- (11) THE TOTAL AMOUNT DUE AND PAYABLE;

- (12) A STATEMENT AS TO HOW AND WHERE THE BILL MAY BE PAID;
  - (13) AN EXPLANATION OF CODES AND ABBREVIATIONS USED; AND
  - (14) A STATEMENT THAT FOR UNRESOLVED INQUIRIES, THE SUBSCRIBER MAY WISH TO CALL THE PUBLIC UTILITIES COMMISSION OF OHIO. THIS STATEMENT SHALL INCLUDE THE THEN-CURRENT AND LOCAL TOLL-FREE TELEPHONE NUMBERS OF THE COMMISSION'S PUBLIC INTEREST CENTER AND TDD/TTY NUMBER.
- (B) A LISTING OF CURRENT CHARGES ON A SUBSCRIBER'S BILL FOR LOCAL SERVICE MUST INCLUDE AN ITEMIZATION OF ALL CHARGES, THE TYPE OF SERVICE, AND CALL CHARACTERISTICS. BASED ON THE SUBSCRIBER'S TYPE OF SERVICE, ONE OF THE FOLLOWING SHALL BE PROVIDED:
- (1) MONTHLY RATE FOR LOCAL FLAT-RATE SERVICE;
  - (2) BASE RATE, PLUS THE CHARGES RATED BY TIME-OF-DAY AND DISTANCE, ASSOCIATED WITH LOCAL CALLS COMPLETED UNDER LOCAL MEASURED SERVICE. UPON A SUBSCRIBER'S REQUEST, THE FOLLOWING INFORMATION SHALL BE PROVIDED FOR EACH CALL FREE OF CHARGE ONCE EVERY TWELVE MONTHS AND FOR ANY ADDITIONAL MONTHS SUCH ITEMIZATION SHALL BE PROVIDED IN ACCORDANCE WITH THE LEC'S TARIFFED CHARGES ON FILE AT THE COMMISSION:
    - (A) THE DATE AND TIME OF PLACEMENT;
    - (B) THE TELEPHONE NUMBER CALLED;
    - (C) THE DISTANCE;
    - (D) THE DURATION;
    - (E) THE RATE APPLIED; AND



- (F) THE TOTAL CHARGE PER CALL; OR
- (3) BASE RATE, THE NUMBER OF ADDITIONAL LOCAL MESSAGE CALLS COMPLETED OVER AND ABOVE THE CALLS INCLUDED IN THE BASE RATE, AND THE CHARGES FOR SUCH CALLS.
- (C) A LISTING OF CURRENT CHARGES ON A SUBSCRIBER'S BILL MUST INCLUDE ALL INTEREXCHANGE SERVICES OR TOLL CALLS WHICH ARE EITHER PROVIDED BY THE LEC OR FOR WHICH THE LEC ACTS AS THE BILLING AND COLLECTIONS AGENT.
- (D) THE DETAIL ON THE TOLL PORTION OF A CUSTOMER'S BILL SHALL INCLUDE:
  - (1) THE DATE AND TIME OF PLACEMENT;
  - (2) THE DESTINATION, INCLUDING CITY AND STATE;
  - (3) THE TELEPHONE NUMBER CALLED, INCLUDING AREA CODE;
  - (4) THE RATE APPLIED;
  - (5) THE DURATION; AND
  - (6) THE TOTAL CHARGE.
- (E) IMMEDIATELY FOLLOWING THE SECTION OF THE BILL WHICH INCLUDES TOLL CHARGES SHALL BE A STATEMENT THAT NONPAYMENT OF SUCH CHARGES MAY RESULT IN THE DISCONNECTION OF TOLL SERVICE AND MAY BE SUBJECT TO COLLECTION ACTIONS.
- (F) THE DETAILED CUSTOMER BILLING INFORMATION REQUIRED TO APPEAR ON THE SUBSCRIBER'S BILL SHALL BE RETAINED BY THE LEC OR IXC FOR AT LEAST EIGHTEEN MONTHS.

(G) THE DATE AFTER WHICH THE BILL WILL BE CONSIDERED PAST DUE SHALL BE CLEARLY STATED.

(H) AN ITEMIZED LISTING OF THE BASIC AND OPTIONAL SERVICES SUBSCRIBED TO, MONTHLY RATE OF EACH SERVICE, AND THE AMOUNT OF ANY SECURITY DEPOSIT BEING HELD BY THE COMPANY SHALL BE INCLUDED WITH EACH NEW SUBSCRIBER'S FIRST BILL, AND ANNUALLY FOR ALL RESIDENTIAL AND SINGLE ACCESS LINE SERVICE SUBSCRIBERS. MULTILINE NONRESIDENTIAL CUSTOMERS MAY ALSO REQUEST THIS INFORMATION ON AN ANNUAL BASIS, AND IT SHALL BE PROVIDED FREE OF CHARGE.

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Case No.: 96-1175-TP-ORD  
Replaces: 4901:1-5-28

Effective: July 7, 1997

Certification \_\_\_\_\_  
Daisy L. Crockron, Acting Secretary

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Date

Promulgated under R.C. Sec. 111.15  
Authorized by R.C. Sec. 4905.231  
Rule amplifies R.C. Sec. 4905.231  
Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-17 ACCOUNT SERVICING CHARGES.

A LEC OR IXC SHALL NOT CHARGE A SUBSCRIBER FOR LATE PAYMENT, A DISHONORED CHECK, COLLECTION ATTEMPTS, INTEREST, SERVICE TERMINATION, SERVICE RECONNECTION OR OTHER ACCOUNT SERVICING CHARGE UNLESS THE CHARGE IS TARIFFED.

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Case No.: 96-1175-TP-ORD  
Replaces: 4901:1-5-29

Effective: July 7, 1997

Certification \_\_\_\_\_  
Daisy L. Crockron, Acting Secretary

\_\_\_\_\_  
Date

Promulgated under R.C. Sec. 111.15  
Authorized by R.C. Sec. 4905.231  
Rule amplifies R.C. Sec. 4905.231  
Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-18 SUBSCRIBER BILLING ADJUSTMENTS FOR LOCAL EXCHANGE SERVICE.

(A) WHEN A SUBSCRIBER'S SERVICE IS INTERRUPTED AND REMAINS OUT OF SERVICE FOR MORE THAN TWENTY-FOUR CONSECUTIVE HOURS AFTER BEING REPORTED TO THE LEC OR AFTER BEING FOUND BY THE LEC TO BE OUT OF SERVICE, (WHICHEVER OCCURS FIRST), THE LEC SHALL MAKE AN ADJUSTMENT TO THE SUBSCRIBER'S ACCOUNT IN ACCORDANCE WITH PARAGRAPH (B) OF THIS RULE. THE LENGTH OF SUCH SERVICE INTERRUPTION SHALL BE COMPUTED ON A CONTINUOUS BASIS, SATURDAYS, SUNDAYS AND HOLIDAYS INCLUDED. THIS RULE DOES NOT APPLY IF THE SERVICE INTERRUPTION:

- (1) OCCURS AS A RESULT OF A NEGLIGENT OR WILLFUL ACT ON THE PART OF THE SUBSCRIBER;
- (2) OCCURS AS A RESULT OF A MALFUNCTION OF SUBSCRIBER-OWNED TELEPHONE EQUIPMENT;
- (3) OCCURS AS A RESULT OF ACTS OF GOD; MILITARY ACTION, WARS, INSURRECTIONS, RIOTS, OR STRIKES; OR
- (4) IS EXTENDED BY THE COMPANY'S INABILITY TO GAIN ACCESS TO THE SUBSCRIBER'S PREMISES DUE TO THE SUBSCRIBER MISSING A REPAIR APPOINTMENT.

EACH LEC SHALL JUSTIFY AND DOCUMENT IN ITS RECORDS EACH INSTANCE WHERE IT APPLIED ANY OF THE EXCEPTIONS LISTED IN THIS SECTION.

(B) IF A SERVICE INTERRUPTION EXCEEDS TWENTY-FOUR HOURS BUT IS LESS THAN FORTY-EIGHT HOURS, THE ADJUSTMENT SHALL BE AT LEAST THE PRO-RATA PORTION OF THE MONTHLY CHARGE(S) FOR ANY AND ALL LOCAL SERVICES RENDERED INOPERATIVE DURING THE INTERRUPTION. CREDIT FOR LONGER INTERRUPTIONS SHALL BE TIERED AS FOLLOWS:

- (1) ANY SUBSCRIBER WHO EXPERIENCES A SERVICE INTERRUPTION IN EXCESS OF FORTY-EIGHT HOURS BUT LESS THAN SEVENTY-TWO HOURS SHALL BE PROVIDED WITH A CREDIT EQUAL TO AT LEAST ONE-THIRD OF ONE MONTHS CHARGES FOR ANY LOCAL SERVICES RENDERED INOPERATIVE.
- (2) ANY SUBSCRIBER WHO EXPERIENCES A SERVICE INTERRUPTION IN EXCESS OF SEVENTY-TWO HOURS BUT LESS THAN NINETY-SIX HOURS SHALL BE PROVIDED A CREDIT EQUAL TO AT LEAST TWO-THIRDS OF ONE MONTHS CHARGES FOR ANY LOCAL SERVICES RENDERED INOPERATIVE.
- (3) ANY SUBSCRIBER WHO EXPERIENCES A SERVICE INTERRUPTION IN EXCESS OF NINETY-SIX HOURS SHALL BE PROVIDED A CREDIT EQUAL TO AT LEAST ONE MONTHS CHARGES FOR ANY LOCAL SERVICES RENDERED INOPERATIVE.

COMPUTATION OF SUCH CREDITS SHALL APPLY TO ALL CHARGES FOR BASIC AND REGULATED OPTIONAL LOCAL SERVICES RENDERED INOPERATIVE. THE EXCEPTIONS LISTED IN PARAGRAPH (A) OF THIS RULE ALSO APPLY TO PARAGRAPH (B) OF THIS RULE.

- (C) IN THE EVENT THE LEC FAILS TO INSTALL NEW SERVICE WITHIN FIVE BUSINESS DAYS OF AN APPLICATION FOR NEW SERVICE OR FAILS TO INSTALL SUCH SERVICE BY THE REQUESTED INSTALLATION DATE WHEN AT LEAST FIVE DAYS NOTICE IS GIVEN, THE COMPANY SHALL WAIVE AT LEAST ONE-HALF OF THE NON-RECURRING INSTALLATION CHARGES. FURTHERMORE, IF THE LEC FAILS TO INSTALL NEW SERVICE WITHIN TEN BUSINESS DAYS OF AN APPLICATION FOR NEW SERVICE OR FAILS TO INSTALL SUCH SERVICE BY THE REQUESTED INSTALLATION DATE, WHEN AT LEAST TEN DAYS NOTICE IS GIVEN, THE COMPANY SHALL WAIVE ALL NON-RECURRING INSTALLATION CHARGES. SUCH CREDITS SHALL NOT BE REQUIRED WHERE:

- (1) SPECIAL EQUIPMENT OR SERVICE IS INVOLVED;
  - (2) APPLICATION IS FOR NEW SERVICE IN AN UNDEVELOPED AREA WHERE NO FACILITIES EXIST; OR
  - (3) APPLICANT OR SUBSCRIBER HAS NOT MET PERTINENT TARIFF REQUIREMENTS.
- (D) MISSED CUSTOMER APPOINTMENTS.
- (1) UPON REQUEST OF THE APPLICANT OR SUBSCRIBER, FOR EACH INSTANCE WHERE THE LEC FAILS TO MEET A SCHEDULED INSTALLATION APPOINTMENT, THE COMPANY SHALL WAIVE THE EQUIVALENT OF AT LEAST ONE-HALF THE REGULATED NON-RECURRING INSTALLATION CHARGES. THE LEC SHALL NOTIFY THE APPLICANT OR SUBSCRIBER OF THE AVAILABILITY OF SUCH CREDITS AT THE TIME THE APPOINTMENT IS MADE.
  - (2) UPON REQUEST OF THE APPLICANT OR SUBSCRIBER, FOR EACH INSTANCE WHERE THE LEC FAILS TO MEET AN ON-PREMISE REPAIR APPOINTMENT OR AN OUTSIDE REPAIR COMMITMENT, THE COMPANY SHALL CREDIT THE SUBSCRIBER'S BILL IN THE AMOUNT OF AT LEAST ONE-HALF OF ONE MONTHS CHARGES FOR ANY SERVICES RENDERED INOPERATIVE. THE LEC SHALL NOTIFY THE APPLICANT OR SUBSCRIBER OF THE AVAILABILITY OF SUCH CREDITS AT THE TIME THE APPOINTMENT IS MADE.
  - (3) THE CREDITS REQUIRED BY PARAGRAPH (D) OF THIS RULE DO NOT APPLY WHEN:
    - (A) THE LEC PROVIDES THE SUBSCRIBER TWENTY-FOUR HOUR NOTICE OF ITS INABILITY TO MEET THE APPOINTMENT OR COMMITMENT; OR

- (B) THE EFFECTS OF NATURAL DISASTERS PROHIBIT THE LEC FROM PROVIDING SUCH NOTICE.
- (E) IN THE EVENT THE LEC OMITTS A SUBSCRIBER'S LISTING FROM THE WHITE PAGES OF THE TELEPHONE DIRECTORY OR LISTS AN INCORRECT PHONE NUMBER, THE COMPANY SHALL ISSUE THE SUBSCRIBER A CREDIT FOR THE EQUIVALENT OF NOT LESS THAN THREE MONTHS LOCAL SERVICE CHARGES. SUCH CREDIT SHALL NOT APPLY IN CASES WHERE THE SUBSCRIBER HAS PROVIDED SUCH LISTING INFORMATION AFTER THE DEADLINE FOR DIRECTORY PUBLICATION. THE SUBSCRIBER SHALL BE GIVEN THE OPTION OF TAKING THE CREDIT OR PURSUING OTHER REMEDIES.
- (F) WHEN A LEC HAS UNDERCHARGED OR OVERCHARGED ANY SUBSCRIBER AS THE RESULT OF A MISCALCULATION, INACCURACY, BILLING, OR OTHER CONTINUING PROBLEM UNDER THE SERVICE PROVIDER'S CONTROL OR UNDER THE CONTROL OF THE ENTITY FOR WHOM THE TELECOMMUNICATIONS CARRIER IS BILLING CHARGES:
- (1) THE MAXIMUM PORTION OF THE UNDERCHARGE THAT MAY BE RECOVERED FROM THE CUSTOMER IN ANY BILLING MONTH, BASED ON THE APPROPRIATE RATES, SHALL BE DETERMINED BY DIVIDING THE AMOUNT OF THE UNDERCHARGE BY THE NUMBER OF MONTHS OF UNDERCHARGED OR UNBILLED SERVICE, UNLESS THE CUSTOMER AGREES TO ALTERNATIVE PAYMENT ARRANGEMENTS.
  - (2) THE TOTAL OVERCHARGE AND ACCRUED INTEREST SHALL BE REIMBURSED TO THE CUSTOMER WITHIN TWO BILLING PERIODS AFTER SUCH REIMBURSEMENT IS DETERMINED TO BE JUSTIFIED. THE INTEREST RATE AND TERMS SHALL BE THE SAME AS THOSE FOR DEPOSITS PURSUANT TO RULE 4901:1-17-05(C) OF THE ADMINISTRATIVE CODE.



- (3) EACH LEC SHALL STATE THE TOTAL AMOUNT TO BE COLLECTED OR REFUNDED BY THE SECOND BILL MAILED TO THE CUSTOMER AFTER SUCH COLLECTION OR REFUND IS DETERMINED TO BE JUSTIFIED. THIS RULE SHALL NOT AFFECT THE LEC'S RECOVERY OF REGULAR MONTHLY CHARGES.
- (A) NO LEC SHALL RECOVER ANY SERVICE OR BILLING FEE PURSUANT TO THIS RULE; AND
- (B) NO LEC SHALL DISCONNECT SERVICE TO ANY CUSTOMER TO COLLECT AN UNDERCHARGE UNDER THIS RULE, EXCEPT FOR NONPAYMENT OF THE AMOUNT LAWFULLY BILLED UNDER THIS RULE.
- (G) THE ADJUSTMENT SHALL BE IN THE FORM OF EITHER A DIRECT PAYMENT TO THE SUBSCRIBER OR A CREDIT TO THE SUBSCRIBER'S ACCOUNT WITHIN THE NEXT TWO BILLING PERIODS. IF THE SUBSCRIBER'S ACCOUNT IS CURRENT, SUCH SUBSCRIBER MAY OPT FOR EITHER A CREDIT OR A DIRECT PAYMENT.
- (H) THIS RULE WILL BE APPLICABLE TO ILECS ON OCTOBER 1, 1997 AND TO NECS ON JANUARY 1, 1998.

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Case No.: 96-1175-TP-ORD

Replaces: 4901:1-5-30

Effective: July 7, 1997

Certification

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Daisy L. Crockron, Acting Secretary

\_\_\_\_\_  
Date

Promulgated under R.C. Sec. 111.15

Authorized by R.C. Sec. 4905.231

Rule amplifies R.C. Sec. 4905.231

Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-19 DENIAL OR DISCONNECTION OF LOCAL EXCHANGE  
AND INTEREXCHANGE SERVICE.

- (A) LOCAL SERVICE MAY ONLY BE DISCONNECTED FOR SUBSCRIBER NONPAYMENT OF CHARGES FOR LOCAL SERVICES FOR WHICH THE ASSOCIATED CHARGES ARE DIRECTLY REGULATED BY THE COMMISSION. FOR PURPOSES OF THIS RULE, LOCAL SERVICE IS DEFINED AS EVERY REGULATED SERVICE PROVIDED BY THE LEC OTHER THAN TOLL SERVICE AND EXCLUDING 900 AND 976-LIKE SERVICES.
- (B) TOLL SERVICE MAY BE DISCONNECTED FOR SUBSCRIBER NONPAYMENT OF TOLL SERVICE, SUBJECT TO THE FOLLOWING CONDITIONS:
  - (1) IXCS AND LECS WHICH ALSO PROVIDE TOLL SERVICE MUST ESTABLISH, IN TARIFFS WHICH ARE SUBJECT TO COMMISSION APPROVAL PRIOR TO BECOMING EFFECTIVE, TOLL DISCONNECTION PROCEDURES WHICH COMPORT WITH ALL APPLICABLE BILLING, NOTICE, CREDIT/DEPOSIT, AND DISCONNECTION STANDARDS SET FORTH IN THIS CHAPTER OF THE ADMINISTRATIVE CODE.
  - (2) NOTHING IN THIS RULE SHALL PRECLUDE A LEC, INCLUDING ONE WHICH ALSO PROVIDES TOLL SERVICE, FROM ENFORCING OR CARRYING OUT THE COMMISSION-APPROVED, TARIFFED DISCONNECTION PROCEDURES OF A SEPARATE PROVIDER, OF TOLL SERVICES SO LONG AS THE LEC IS AUTHORIZED TO DO SO PURSUANT TO A CONTRACT ENTERED INTO BETWEEN THE LEC AND THE SEPARATE TOLL SERVICE PROVIDER WHICH CONTRACT IS SUBJECT TO COMMISSION APPROVAL.
  - (3) ONCE A LEC HAS IMPLEMENTED "1 PLUS" EQUAL ACCESS IT SHALL NOT BE PERMITTED TO BLOCK ACCESS TO ANY IXC FOR THE NONPAYMENT OF TOLL CHARGES, OWED TO ANY PARTICULAR IXC OR GROUP OF IXCS, OTHER THAN THE IXC TO WHOM THE DEBT IS

OWED (INCLUDING THE LEC WHO IS ALSO PROVIDING TOLL SERVICE).

- (C) FOR PURPOSES OF DISCONNECTION, PARTIAL PAYMENTS MUST BE APPORTIONED TO REGULATED LOCAL SERVICE CHARGES FIRST BEFORE BEING APPLIED BY A LEC TO ANY TOLL CHARGES.
- (D) A LEC OR IXC MUST NOTIFY, OR ATTEMPT TO NOTIFY, A SUBSCRIBER BEFORE SERVICE IS REFUSED OR DISCONNECTED WHEN ANY OF THE FOLLOWING CONDITIONS EXIST:
  - (1) A VIOLATION OF OR NONCOMPLIANCE WITH THE COMMISSION'S THEN-CURRENT REGULATIONS GOVERNING SERVICE SUPPLIED BY LECS AND IXCS;
  - (2) A VIOLATION OF OR NONCOMPLIANCE WITH THE LEC OR IXC'S RULES OR TARIFFS ON FILE WITH THE COMMISSION;
  - (3) A FAILURE TO COMPLY WITH MUNICIPAL ORDINANCES OR OTHER LAWS PERTAINING TO TELECOMMUNICATIONS SERVICES; OR
  - (4) A REFUSAL BY THE SUBSCRIBER TO PERMIT THE LEC NECESSARY ACCESS TO ITS FACILITIES OR EQUIPMENT.
- (E) A LEC OR IXC MUST NOTIFY OR ATTEMPT TO NOTIFY, THE SUBSCRIBER BEFORE SERVICE IS DISCONNECTED WHEN THE SUBSCRIBER HAS COMMITTED A FRAUDULENT PRACTICE AS SET FORTH AND DEFINED IN ITS TARIFFS ON FILE WITH THE COMMISSION.
- (F) THE LEC OR IXC MAY NOT DISCONNECT THE LOCAL EXCHANGE OR INTEREXCHANGE SERVICE OF A SUBSCRIBER WHO PAYS THE COMPANY THE TOTAL AMOUNT DUE (OR AN AMOUNT AGREED UPON BETWEEN THE COMPANY AND THE SUBSCRIBER TO PREVENT DISCONNECTION) ON HIS/HER ACCOUNT BY THE CLOSE OF BUSINESS ON THE DISCONNECTION DATE LISTED ON THE

DISCONNECTION NOTICE. (THIS RULE AMPLIFIES SECTION 4905.75 OF THE REVISED CODE).

(G) NO NOTICE IS REQUIRED IN ANY OF THE FOLLOWING INSTANCES:

- (1) WHEN AN EMERGENCY MAY THREATEN THE HEALTH OR SAFETY OF A PERSON, OR THE LEC'S DISTRIBUTION SYSTEM. IF SERVICE IS DISCONNECTED, THE COMPANY SHALL ACT PROMPTLY TO ASSURE RESTORATION OF SERVICE AS SOON AS POSSIBLE. SERVICE SHALL BE RESTORED TO A RESIDENCE BEFORE IT MAY BE DISCONNECTED FOR ANY OTHER REASON;
- (2) IN THE EVENT OF A SUBSCRIBER'S USE OF TELECOMMUNICATIONS EQUIPMENT IN SUCH A MANNER AS TO ADVERSELY AFFECT THE COMPANY'S EQUIPMENT, ITS SERVICE TO OTHERS, OR THE SAFETY OF THE COMPANY'S EMPLOYEES OR SUBSCRIBERS; OR
- (3) IN THE EVENT OF TAMPERING WITH ANY FACILITIES OR EQUIPMENT FURNISHED AND OWNED BY THE LEC OR IXC.

(H) MEDICAL CERTIFICATION PROCEDURES.

IF A SUBSCRIBER OR A MEMBER OF THE SUBSCRIBER'S HOUSEHOLD DEMONSTRATES THAT DISCONNECTION OF SERVICE WOULD BE ESPECIALLY DANGEROUS TO HIS/HER HEALTH, THE LEC MUST CONSIDER THIS CIRCUMSTANCE WHEN OFFERING EXTENDED PAYMENT ARRANGEMENTS TO AVOID DISCONNECTION. PAYMENT ARRANGEMENTS SHALL BE OFFERED REGARDLESS OF THE CREDIT CLASS OF THE SUBSCRIBER.

(I) LOCAL EXCHANGE SERVICE MAY NOT BE REFUSED OR DISCONNECTED TO ANY APPLICANT OR SUBSCRIBER FOR ANY OF THE FOLLOWING REASONS:

- (1) FAILURE TO PAY FOR SERVICE FURNISHED TO A FORMER SUBSCRIBER WHO PREVIOUSLY SUBSCRIBED

TO SERVICE UNLESS THE FORMER SUBSCRIBER AND THE NEW APPLICANT FOR SERVICE CONTINUE TO BE MEMBERS OF THE SAME HOUSEHOLD;

- (2) FAILURE TO PAY FOR A DIFFERENT CLASS OF SERVICE. RESIDENTIAL SERVICE MAY NOT BE DENIED OR DISCONNECTED FOR NONPAYMENT OF A NONRESIDENTIAL ACCOUNT AND VICE VERSA;
  - (3) FAILURE TO PAY ANY AMOUNT WHICH IS IN BONA FIDE DISPUTE. THE COMPANY MAY NOT DISCONNECT SERVICE IF THE SUBSCRIBER PAYS EITHER THE UNDISPUTED PORTION OF THE BILL OR THE AMOUNT PAID FOR THE SAME BILLING PERIOD IN THE PREVIOUS YEAR; OR
  - (4) FAILURE TO PAY DIRECTORY ADVERTISING CHARGES OR ANY OTHER NONREGULATED SERVICE CHARGES.
- (J) VOLUNTARY THIRD PARTY NOTICE PRIOR TO DISCONNECTION OF SERVICE.
- (1) EACH LEC AND IXC SHALL PERMIT A RESIDENTIAL SUBSCRIBER TO DESIGNATE A THIRD PARTY TO RECEIVE NOTICE OF THE PENDING DISCONNECTION OF THE SUBSCRIBER'S LOCAL EXCHANGE OR INTEREXCHANGE SERVICE OR OF ANY OTHER CREDIT NOTICES SENT TO THE SUBSCRIBER.
  - (2) THE LEC AND IXC SHALL INFORM THE THIRD PARTY THAT HIS/HER CONSENT TO RECEIVE SUCH NOTICES DOES NOT CONSTITUTE ACCEPTANCE OF ANY LIABILITY BY THE THIRD PARTY FOR PAYMENT FOR SERVICE PROVIDED TO THE SUBSCRIBER.
- (K) PAYMENT SCHEDULE AND DISCONNECTION PROCEDURES FOR NONPAYMENT.
- (1) A SUBSCRIBER'S BILL SHALL NOT BE DUE EARLIER THAN FOURTEEN DAYS FROM THE DATE OF THE

POSTMARK ON THE BILL. IF THE BILL IS NOT PAID BY THE DUE DATE, IT THEN BECOMES PAST DUE.

- (2) SHOULD THE LEC OR IXC DECIDE TO PURSUE DISCONNECTION PROCEDURES FOR NONPAYMENT, THE COMPANY SHALL NOT DISCONNECT THE SERVICE:
  - (A) SOONER THAN FOURTEEN DAYS AFTER THE DUE DATE OF THE BILL; AND
  - (B) WITHOUT SENDING A WRITTEN NOTICE OF DISCONNECTION, WHICH MUST BE POSTMARKED AT LEAST SEVEN DAYS PRIOR TO THE DATE OF DISCONNECTION OF SERVICE.
- (3) A NOTICE OF DISCONNECTION SHALL CLEARLY STATE THE FOLLOWING:
  - (A) A STATEMENT THAT FAILURE TO PAY THE AMOUNT REQUIRED AT THE COMPANY'S OFFICE OR TO ONE OF ITS AUTHORIZED AGENTS BY THE DATE SPECIFIED ON THE NOTICE MAY RESULT IN THE DISCONNECTION OF LOCAL OR TOLL OR OPTIONAL SERVICES;
  - (B) THE EARLIEST DATE WHEN DISCONNECTION WILL OCCUR;
  - (C) THE REASON(S) FOR DISCONNECTION AND ANY ACTIONS WHICH THE SUBSCRIBER MUST TAKE IN ORDER TO AVOID THE DISCONNECTION, INCLUDING THE TOTAL AMOUNT REQUIRED TO BE PAID (WHICH SHALL NOT BE GREATER THAN THE PAST DUE BALANCE);
  - (D) THE TOTAL AMOUNT DUE TO AVOID DISCONNECTION OF LOCAL EXCHANGE SERVICE AS DEFINED IN PARAGRAPH (A) OF THIS RULE;
  - (E) THE TOTAL AMOUNT DUE FOR TOLL CHARGES AND A STATEMENT THAT NONPAYMENT OF TOLL

CHARGES MAY RESULT IN THE DISCONNECTION OF TOLL SERVICE;

- (F) THE TOTAL AMOUNT DUE FOR NONREGULATED CHARGES AND A STATEMENT THAT NONPAYMENT OF SUCH CHARGES CANNOT RESULT IN THE DISCONNECTION OF BASIC LOCAL SERVICE OR REGULATED TOLL SERVICE;
  - (G) THE ADDRESS AND TELEPHONE NUMBER OF THE OFFICE OF THE LEC OR IXC THAT THE SUBSCRIBER MAY CONTACT IN REFERENCE TO HIS/HER ACCOUNT;
  - (H) A STATEMENT THAT THE COMMISSION STAFF IS AVAILABLE TO RENDER ASSISTANCE WITH UNRESOLVED COMPLAINTS, AND THE THEN-CURRENT ADDRESS AND LOCAL/TOLL-FREE TELEPHONE NUMBERS AND TDD/TTY NUMBERS OF THE COMMISSION'S PUBLIC INTEREST CENTER; AND
  - (I) A STATEMENT THAT AN ADDITIONAL CHARGE FOR RECONNECTION MAY APPLY IF SERVICE IS DISCONNECTED. THE STATEMENT SHALL ALSO INCLUDE A NOTICE THAT PAYMENTS TO AN UNAUTHORIZED PAYMENT AGENT MAY RESULT IN THE UNTIMELY OR IMPROPER CREDITING OF THE SUBSCRIBER'S ACCOUNT.
- (5) A LEC AND IXC COMPLYING WITH THE CONDITIONS SET FORTH IN THIS RULE MAY DISCONNECT SERVICE DURING ITS NORMAL BUSINESS HOURS; HOWEVER, NO DISCONNECTION FOR PAST DUE BILLS MAY BE MADE AFTER TWELVE-THIRTY P.M. ON THE DAY PRECEDING A DAY THAT ALL SERVICES NECESSARY FOR RECONNECTION ARE NOT REGULARLY PERFORMED OR AVAILABLE.



(L) RECONNECTION OF LOCAL EXCHANGE AND INTEREXCHANGE SERVICE.

- (1) UNLESS PREVENTED BY CIRCUMSTANCES BEYOND THE COMPANY'S CONTROL OR UNLESS A SUBSCRIBER REQUESTS OTHERWISE, A LEC AND IXC SHALL RECONNECT PREVIOUSLY DISCONNECTED SERVICE BY FIVE P.M. ON THE NEXT BUSINESS DAY FOLLOWING EITHER:
  - (A) RECEIPT BY THE COMPANY OR ITS AUTHORIZED AGENT, OF THE FULL AMOUNT IN ARREARS FOR WHICH SERVICE WAS DISCONNECTED, OR UPON VERIFICATION BY THE COMPANY THAT CONDITIONS WHICH WARRANTED DISCONNECTION OF SERVICE HAVE BEEN ELIMINATED; OR
  - (B) AGREEMENT BY THE COMPANY AND THE SUBSCRIBER ON A DEFERRED PAYMENT PLAN AND A PAYMENT, IF REQUIRED, UNDER THE PLAN.
- (2) BEFORE RESTORING SERVICE UNDER THIS RULE, A LEC AND IXC MAY NOT INSIST UPON PAYMENT OF ANY NEW BILL THAT IS NOT PAST DUE IF THAT BILL DID NOT ITSELF PROVIDE THE BASIS FOR DISCONNECTION.
- (3) PAYMENT RECEIVED BY AN AUTHORIZED AGENT OF THE COMPANY SHALL BE TREATED IN THE SAME MANNER AS PAYMENT MADE DIRECTLY TO THE COMPANY.